

NOVEMBER 30, 2015

The Board of Supervisors of Clinton County, Iowa, met. Present were Supervisors Staszewski, Srp and Hamerlinck. Minutes of the previous meeting were read and approved.

REPORTS

The October 2015 monthly report of the Commission of Veterans Affairs, submitted by Ed Staszewski, Director, was presented, approved and filed.

9:00 A.M. Review Correspondence and Claims

9:15 A.M. FORMAL ACTION: Resolutions and Motions

The following Resolutions #2015-308 through #2015-313 were approved on the Consent Agenda:

RESOLUTION #2015-308

BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the resignation of Amber Ledvina-Geurink, Targeted Case Manager, Office of Case Management, be and is hereby accepted effective midnight, November 30, 2015.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to discontinue pay checks effective said date.

Roll Call:

Hamerlinck: Yes

Srp: Yes

Staszewski: Yes

John F. Staszewski, Chairman

RESOLUTION #2015-309

BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the resignation of Cynthia Griep, Targeted Case Manager, Office of Case Management, be and is hereby accepted effective midnight, November 30, 2015.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to discontinue pay checks effective said date.

Roll Call:

Hamerlinck: Yes

Srp: Yes

Staszewski: Yes

John F. Staszewski, Chairman

RESOLUTION #2015-310

WHEREAS, adjustments on the following mobile homes must be made according to Code of Iowa, Sections 435.25 and 555B.8, to the Clinton County tax records of \$1,028.00:

Stephanie Tague	Vin#47989040019	Dist 0780	Trailer moved to Muscatine Co.	\$102.00
Royal Pines Village	Vin#SSDAL42641	Dist 0780	Trailer in dealer inventory	\$ 67.00
Royal Pines Village	Vin#MP1513207	Dist 0780	Trailer in dealer inventory	\$ 63.00
Royal Pines Village	Vin#18L02699	Dist 0780	Trailer in dealer inventory	\$109.00
Bevan Paarmann	Vin#M603183	Dist 0780	Trailer abandoned-tore down	\$207.00
Jamiee Bailey	Vin#60125315	Dist 0780	Trailer abandoned thru courts	\$220.00
Jack Reeves	Vin#06L14903	Dist 0780	Trailer abandoned thru courts	\$260.00

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that County records be adjusted by the County Treasurer on the County system to reflect the above changes.

Roll Call:

Hamerlinck: Yes

Srp: Yes

Staszewski: Yes

John F. Staszewski, Chairman

RESOLUTION #2015-311

WHEREAS, Mary L. James purchased a mobile home and an adjustment must be made per Code of Iowa, Section 435.23, to the Clinton County tax records in the amount of \$109.00.

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that County records be adjusted by the County Treasurer on the County system to reflect the additional property tax on parcel 18L02699 in the County system.

Roll Call:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes
John F. Staszewski, Chairman

RESOLUTION #2015-312

WHEREAS, the Clinton County Board of Supervisors has considered the Snow Removal Agreement and bids received for snow and ice removal of the parking lot, sidewalk and entrances of the Clinton County Satellite Offices located in DeWitt, Iowa, for the fiscal year 2015-2016; and

WHEREAS, only one bid was received and that vendor is listed below:

AEJ Enterprises, LLC (dba J & L Enterprises, LLC)

WHEREAS, the Building Maintenance Manager recommends entering into an agreement with AEJ Enterprises due in part the contractor's fees have not changed in the last three years for snow and ice removal at the Clinton County Satellite Office in DeWitt, Iowa;

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the bid be awarded to AEJ Enterprises, LLC and the Chairman of the Board of Supervisors be authorized to execute said agreement on behalf of Clinton County, Iowa.

Roll Call:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes
John F. Staszewski, Chairman

RESOLUTION #2015-313

WHEREAS, Donna F. Otten has petitioned for property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property:

1215 8th Ave. No, Clinton IA Parcel #80-28600000

WHEREAS, eligibility for said suspension has been verified by Kim Ralston, CAP Director.

BE IT RESOLVED by the Clinton County Board of Supervisors that tax suspension [for the collection of taxes, special assessments, and rates or charges, including interest, fees and costs] be and is hereby approved and the County Treasurer is authorized to make entry on her records accordingly, all under provision of Section 427.8, Code of Iowa.

BE IT FURTHER RESOLVED that tax suspension under provision of Section 427.8, Code of Iowa, is for the 2014 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes
John F. Staszewski, Chairman

The following resolution was presented and on motion adopted.

RESOLUTION #2015-314

WHEREAS, the Clinton County Board of Supervisors desire for Clinton County Justice Coordinating Commission (CCJCC) and CCJCC Jail Facility committee to continue to study a replacement Law Center for Clinton County; and

WHEREAS, CCJCC Jail Site Selection committee met and selected the site and a professional site evaluation was conducted; and

WHEREAS, preliminary architectural drawings and cost projections have been completed; and

WHEREAS, the Samuels Group provides professional services such as value engineering and detailed budget estimates for the design and development of the proposed replacement Law Center; and

WHEREAS, the Clinton County Sheriff's Office (CCSO) has a Jail Room and Board Fund established pursuant to Iowa Code 356.7, which would provide for costs of a professional budget estimate;

THEREFORE BE IT RESOLVED that the Clinton County Board of Supervisors direct CCJCC to proceed with securing professional services with the Samuels Group in the amount of \$5,000 for the purpose of a detailed budget estimate and presentation, to be funded by the CCSO Jail Room and Board Fund.

Roll Call:

Hamerlinck: Yes

Srp: Yes

Staszewski: Yes

John F. Staszewski, Chairman

The following resolution was presented and on motion failed as changes were made to the policy during discussion. A Public Hearing will be set at a later time.

RESOLUTION #2015-315

BE IT RESOLVED, that the Clinton County Board of Supervisors will hold a Public Hearing on _____ at _____ in Conference Room B at the Clinton County Administration Building, 1900 N. 3rd Street, Clinton, Iowa 52732, for the purpose of soliciting public comment to proposed changes to the Clinton County Indigent Burial Policy.

Roll Call:

Hamerlinck: No

Srp: No

Staszewski: No

UNFINISHED BUSINESS

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS AND EMPLOYEES

Clinton County Auditor Eric Van Lancker reported he will start preparing information for the County Compensation Board. He reminded the Board of Supervisors that their meeting will start at 8:30 a.m. next Monday to canvass the votes from the City of Clinton Runoff Election.

County Case Management Director Patti Robinson reported she requires the date of birth and social security number of the board members because the contracts are supported by federal funds.

9:50 A.M. Public Hearing – Proposed FY2016 Budget Amendment

PUBLIC HEARING

Chairman Staszewski called the Public Hearing to order at 9:50 a.m. Present were Supervisors Srp and Hamerlinck; County Auditor Eric Van Lancker; Budget Director Lynn Kirchhoff; Department Heads; and members of the media and public.

The purpose of the Public Hearing was to solicit public comments on the proposed FY2016 budget amendment.

Proof of publication was presented, accepted, and returned for filing.

No comments were received previous to the Public Hearing.

County Budget Director Lynn Kirchhoff reviewed the budget amendments.

Hamerlinck asked about the Conservation budget amendment request. He asked if funds were coming out of the appropriate fund. Conservation Director Walt Wickham and Budget Director Lynn Kirchhoff reviewed the budget amendment and concluded a new budget line would be required.

Motion was made by Supervisor Srp to adjourn the Public Hearing.

Roll Call:

Hamerlinck: Yes

Srp: Yes

Staszewski: Yes

Motion carried. The Public Hearing was adjourned at 9:53 a.m.

The following resolution was presented and on motion adopted.

RESOLUTION #2015-316

WHEREAS, certain departments in the various funds of the County may overspend and there are sufficient funds available in the said service areas to cover these expenditures.

THEREFORE BE IT RESOLVED by the Board of Supervisors that the following office funds be adjusted to wit:

Sheriff Patrol

from

\$2,052,128

to

\$2,062,261

Recorder	from	\$290,089	to	\$294,571
Courthouse Maintenance	from	\$509,570	to	\$609,342
County Conservation	from	\$1,156,415	to	\$1,162,495
Board of Health	from	\$458,761	to	\$532,977
Medical Examiner	from	\$123,862	to	\$128,917
Mental Health	from	\$1,824,512	to	\$3,524,512
County Conservation Land Acquisition	from	\$47,000	to	\$67,000
Miscellaneous Grants	from	\$820,000	to	\$845,134

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to make the above adjustments.

Roll Call:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes
John F. Staszewski, Chairman

9:53 A.M. Public Hearing – Proposed Subdivision Application of Richard Samson for S.A.M. Subdivision

PUBLIC HEARING

Chairman Staszewski called the Public Hearing to order at 9:53 a.m. Present were Supervisors Srp and Hamerlinck; County Auditor Eric Van Lancker; Clinton County Zoning & Planning Director Nate Mueller; and members of the media and public.

The purpose of the Public Hearing was to solicit public comments on a proposed subdivision application of Richard Samson for the S.A.M. Subdivision final plat approval.

Proof of publication was presented, accepted, and returned for filing.

No comments were received previous to the Public Hearing.

County Zoning Director Nate Mueller reviewed the subdivision application.

Motion was made by Supervisor Srp to adjourn the Public Hearing.

Roll Call:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes

Motion carried. The Public Hearing was adjourned at 9:57 a.m.

The following resolution was presented and on motion adopted.

RESOLUTION #2015-317

WHEREAS, Richard Samson has filed subdivision application 3909 requesting preliminary and final approval of a proposed minor subdivision to be known and designated as S.A.M. Subdivision, located in the W ½ of the NW ¼ of Section 8, Township 82 North, Range 5 East of the 5th P.M. in Clinton County, Iowa, and

WHEREAS, the Clinton County Planning and Zoning Commission held a public meeting on November 4, 2015, in DeWitt, Iowa, to consider this application, and

WHEREAS, the Clinton County Board of Supervisors held a Public Hearing on November 30, 2015, to hear comments for and against the application; and

WHEREAS, it appears that all requirements of the Clinton County Zoning Ordinance, Subdivision Regulations, Master Plan, and the laws of the State of Iowa have been complied with,

NOW, THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Final Plat of S.A.M. Subdivision, Clinton County, Iowa, be and the same is hereby approved subject to the following condition and the Chairman is authorized to sign the final plat prior to recording:

1. An Ag-Warning notice prepared by Planning & Zoning staff be recorded with the final plat proceeding.

Roll Call:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes
John F. Staszewski, Chairman

9:57 A.M. Public Hearing – Proposed Subdivision Application for Iron Hill Subdivision

PUBLIC HEARING

Chairman Staszewski called the Public Hearing to order at 9:57 a.m. Present were Supervisors Srp and Hamerlinck; County Auditor Eric Van Lancker; Clinton County Zoning & Planning Director Nate Mueller; and members of the media and public.

The purpose of the Public Hearing was to solicit public comments on a proposed subdivision application of Gerald Farrell and Carl McNamee for the Iron Hill Subdivision final plat approval.

Proof of publication was presented, accepted, and returned for filing.

No comments were received previous to the Public Hearing.

County Zoning Director Nate Mueller reviewed the subdivision application.

Gerry Farrell, Clinton County resident, supported the project as all involved are gaining something from the subdivision approval.

Motion was made by Supervisor Srp to adjourn the Public Hearing.

Roll Call:

Hamerlinck:	Yes
Srp:	Yes
Staszewski:	Yes

Motion carried. The Public Hearing was adjourned at 10:02 a.m.

The following resolution was presented and on motion adopted.

RESOLUTION #2015-318

WHEREAS, Gerald Farrell and Carl McNamee have filed subdivision application 3916 requesting preliminary and final approval of a proposed minor subdivision to be known and designated as Iron Hill Subdivision, located in the SE ¼ of the SW ¼ of Section 10, Township 83 North, Range 3 East of the 5th P.M. in Clinton County, Iowa, and

WHEREAS, the Clinton County Planning and Zoning Commission held a public meeting on November 4, 2015, in DeWitt, Iowa, to consider this application, and

WHEREAS, the Clinton County Board of Supervisors held a Public Hearing on November 30, 2015, to hear comments for and against the application; and

WHEREAS, it appears that all requirements of the Clinton County Zoning Ordinance, Subdivision Regulations, Master Plan, and the laws of the State of Iowa have been complied with,

NOW, THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Final Plat of Iron Hill Subdivision, Clinton County, Iowa, be and the same is hereby approved and the Chairman is authorized to sign the final plat prior to recording.

Roll Call:

Hamerlinck:	Yes
Srp:	Yes
Staszewski:	Yes

John F. Staszewski, Chairman

10:04 A.M. Public Hearing – Proposed Disposition of Two Parcels of land owned by the County

PUBLIC HEARING

Chairman Staszewski called the Public Hearing to order at 10:04 a.m. Present were Supervisors Srp and Hamerlinck; County Auditor Eric Van Lancker; County Engineer Todd Kinney; County Attorney Mike Wolf; and members of the media and public.

The purpose of the Public Hearing was to solicit public comments on the proposed disposition of two parcel of land owned by the County.

Proof of publication was presented, accepted, and returned for filing.

No comments were received previous to the Public Hearing.

County Engineer Todd Kinney and County Attorney Mike Wolf reviewed the proposed sale of two parcels of County property.

Motion was made by Supervisor Srp to adjourn the Public Hearing.

Roll Call:

Hamerlinck:	Yes
Srp:	Yes
Staszewski:	Yes

Motion carried. The Public Hearing was adjourned at 10:09 a.m.

The following resolution was presented and on motion adopted.

RESOLUTION #2015-319

WHEREAS, the Clinton County Board of Supervisors (hereinafter "Board") has determined certain Clinton County property is no longer needed for County purposes. The property, divided into two parcels, is located in the unincorporated town of Malone, Iowa. Specifically, the parcels are identified as Parcel "A" and Parcel "C".

Parcel "A" is legally described as follows:

Being a part of the northwest quarter of the northeast quarter of Section 24, Township 81 North, Range 4 East of the 5th p.m., Clinton County, Iowa, more particularly described as follows:
Beginning at the northwest corner of lot one in block one in the original town of Malone; thence north 81 degrees 28' 29" west, 47.81 feet to the east ROW line of 335th Avenue; thence north 89 degrees 14' 58" east, 251.09 feet; thence south 08 degrees 31' 31" west, 40.47 feet to the north line of block one in the original town of Malone; thence north 81 degrees 28' 29" west, 200.00 feet along the north line of block one in the original town of Malone to the point of beginning. Said parcel contains 5,015 square feet and is subject to easements of record.

Parcel "C" is legally described as follows:

Being a part of the northwest quarter of the northeast quarter of Section 24, Township 81 north, Range 4 East of the 5th p.m., Clinton County, Iowa, more particularly described as follows:
Beginning at the northeast corner of lot four in block one in the original town of Malone; thence North 8 degrees 31' 31" east, 40.47 feet; thence north 89 degrees 14' 58" east, 48.65 feet; thence south 07 degrees 45' 26" west, 48.32 feet to the north line of block one in the original town of Malone; thence north 81 degrees 28' 29" west, 48.67 feet along the north line of block one in the original town of Malone to the point of beginning. Said parcel contains 2,147 square feet and is subject to easements of record.

(hereinafter "Malone Property").

WHEREAS, the Board has determined – based upon recommendation of the Clinton County Engineer, that it would be best to sell the Malone Property to the neighboring property owners to provide owner access and property development, as well as reduce county road maintenance.

WHEREAS, the Malone Property is to be offered and sold by Special Warranty Deed.

WHEREAS, the Board proposes to sell Parcel "A" to Charles and Sandra Matthiesen, 3357 252 St., DeWitt, IA 52742, for \$230.00; and Parcel "C" to William D. and Pamela Sterbenz, 3359 252 St., DeWitt, IA 52742, for \$100.00. Another condition of sale is the purchasers will be required to retain their own legal counsel and be responsible for associated costs to do any title work, as well as prepare and record the special warranty deed.

WHEREAS, a Public Hearing regarding the sale of Parcels "A" and "C" was held on November 30, 2015 at 9:50 a.m. at the Clinton County Administration Building.

THEREFORE BE IT RESOLVED the Clinton County Board of Supervisors does hereby convey Parcel "A" as previously described to Charles and Sandra Matthiesen for the sale price of \$230.00 and does hereby convey Parcel "C" to William D. and Pamela Sterbenz for the sale price of \$100.00.

Roll Call:

Hamerlinck: Yes

Srp: Yes

Staszewski: Yes

John F. Staszewski, Chairman

10:10 A.M. Drainage Districts:

- Request to outlet a private tile into Drainage District #17
- Request for a repair on Drainage District #23 for a main ditch berm elevation
- Request for repair on Drainage District #23 Lateral 2 for cleaning

Motion was made by Supervisor Srp to recess as Board of Supervisors and convene as Board of Trustees for Drainage District #17 and Drainage District #23.

Roll Call:

Hamerlinck: Yes

Srp: Yes

Staszewski: Yes

Motion carried. The Board of Supervisors recessed and the Board of Trustees convened at 10:11 a.m.

Kinney reviewed the status of the private tile outlet request in Drainage District #17. He said there was nothing new to report at this time. Kinney updated Drainage District #17 Lateral A. He mentioned he is waiting on the Corps of Engineers Office to provide information about the project.

Kinney reviewed the berm repair request in the main ditch of Drainage District #23. The property owner is asking that the berm levels be raised to its original elevation. Kinney said a contractor is currently working on Drainage District #23 and the owner would like the contractor to repair the berm. Kinney said it would be difficult to get a cost estimate without determining how high the berm will be. He added that if the elevation is increased, then it would be an improvement instead of a repair. He said the berm needs to be surveyed to appropriately repair and price.

Motion was made by Supervisor Srp to authorize the County Engineer to survey the berm in the main ditch of Drainage District #23 and determine an estimate for the repair.

Roll Call:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes

Motion carried.

Kinney reviewed the cleaning request for Lateral 2 of Drainage District #23. He said the repair area is about 1,300 feet. Kinney said he earlier provided an estimate for the cleaning of that section, but during a public meeting, property owners were not in favor of the request. He said the contractor working there provided an estimate of \$3,200 for the first quarter-mile of cleaning. Kinney said he had earlier recommended the cleaning of the entire lateral at a cost of \$18,525. Kinney recommended a change order to the current contract.

Motion was made by Supervisor Srp to authorize the County Engineer to engage the contractor for a change order to clean the first quarter-mile of Drainage District #23 Lateral 2.

Roll Call:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes

Motion carried.

Motion was made by Supervisor Srp to adjourn as Board of Trustees for Drainage Districts and reconvene as Board of Supervisors.

Roll Call:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes

Motion carried. The Board of Supervisors reconvened at 10:29 a.m.

The Board of Supervisors adjourned to meet on Monday, December 7, 2015.

Eric Van Lancker, County Auditor

John F. Staszewski, Chairman

-APPROVED-

County Auditor

Chairman